

**UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF NEW YORK**

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<b>ROSE AMOUGOU NGASSAM</b>  <b>Plaintiff,</b>  <b>v.</b>  <b>MICHAEL CHERTOFF,</b> <b>Secretary of Department of Homeland</b> <b>Security; EMILIO GONZALEZ,</b> <b>Director of United States Citizenship &amp;</b> <b>Immigration Services, F. GERARD</b> <b>HEINAUER, Director of the Nebraska</b> <b>Service Center of United States</b> <b>Citizenship &amp; Immigration Services</b>	<b>Case No: 07 Civ. 8172 (LLS)</b>  <b>ORDER FOR</b> <b>RECONSIDERATION/REARGUMENT</b>  <b>Defendants.</b>
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**THIS MATTER** having come before the Court by application of the Plaintiff, for an order reinstating Plaintiff's Complaint and Order to Show Cause for a Preliminary Injunction Is Herby Granted.

**The Court Having FOUND that**

Subject matter jurisdiction exist over this action pursuant to 28 U.S.C. § 1331, (the Mandamus Act) and over 5 U.S.C. §§ 701 *et seq.* (Administrative Procedure Act) on account 28 U.S.C. § 1331 (federal question jurisdiction);

**It is hereby ORDERED that:**

- 1) The Court's September 19, 2007 Order of Dismissal is Reversed

- 2) Plaintiff's Complaint and Order to Show Cause for Preliminary Injunction are reinstated;
- 3) Plaintiff's Order to Show Cause is Granted, such that Defendants are ordered to show cause on the \_\_\_\_ day of October, 2007 why a Preliminary Injunction should not be granted ordering the Defendants to comply with all regulations governing eligibility for and adjudication of asylee-relative petitions.
- 4) Grant Plaintiff all further and such relief as this court deems just, proper and equitable;
- 5) A copy of this order shall be served upon all counsel within \_\_\_\_\_ days of receipt by Plaintiff.

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Date

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U.S.D.J.